

**RESPONSE UNDER 37 C.F.R. 1.116 - EXPEDITED
PROCEDURE - EXAMINING GROUP 2815**

Attorney's Docket No. 5308-168

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Das et al.

Confirmation No.: 2584

Serial No.: 09/878,442

Group Art Unit: 2815

Filed: June 11, 2001

Examiner: J. Jackson, Jr.

For: HIGH VOLTAGE, HIGH TEMPERATURE CAPACITOR STRUCTURES AND
METHODS OF FABRICATING SAME

Date: November 4, 2002

Box AF

Commissioner for Patents

Washington, DC 20231

TERMINAL DISCLAIMER UNDER 37 C.F.R. 1.321(b)

Sir:

I, Timothy J. O'Sullivan, am an attorney of record of the disclaimant, Cree, Inc., and am authorized to execute this disclaimer on behalf of Cree, Inc. The disclaimant, Cree, Inc., having a principal place of business at Durham, North Carolina, is the owner of all right, title, and interest in the above-identified application, by Assignment recorded September 4, 2001, on Reel 012128, Frame 0788.

The disclaimant hereby disclaims the terminal part of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term of United States Patent No. 6,246,076, entitled *Layered Dielectric on Silicon Carbide Semiconductor Structures*, which patent was assigned to the above-identified disclaimant by an Assignment recorded on January 21, 1999, and recorded at Reel 9710, Frame 0462.


Disclaimant further agrees that any patent so granted on the above-identified application, which is the subject of this disclaimer, shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,246,076, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors, or assigns.

Nothing herein shall be construed as a disclaimer of any terminal part of any patent granted on the above-identified application which is prior to the expiration of the full statutory term of U.S. Patent No. 6,246,076 in the event that it later expires for failure to pay

In re: Das et al.
Serial No.: 09/878,442
Filed: June 11, 2001
Page 2

a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Respectfully submitted,



Timothy J. O'Sullivan
Registration No. 35,632

Customer Number:



20792

PATENT TRADEMARK OFFICE

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box AF, Commissioner for Patents, Washington, DC 20231, on November 4, 2002.



Traci A. Brown

Date of Signature: November 4, 2002